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ICONIX, INC.  
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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION  
19

20 ICONIX, INC.,

21 Plaintiff,

22 v.

23 LANCE TOKUDA, JIA SHEN, and  
24 NETPICKLE, INC.,

25 Defendants.  
26  
27  
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Case No. C06-02201 SBA (JCS)

**STIPULATION OF DISMISSAL**

1 WHEREAS, on November 17, 2006, Plaintiff Iconix, Inc. ("Iconix") and Defendants  
2 netPickle, Inc., Lance Tokuda, and Jia Shen (collectively, "Defendants") reached a settlement  
3 agreement (the "Settlement Agreement");

4 WHEREAS, on January 9, 2007, the parties stipulated to conditionally dismiss all of the  
5 claims and counterclaims in this action subject to the satisfaction in full of all conditions set forth  
6 in the Settlement Agreement within a 100 day period;

7 WHEREAS, after the 100 day period has passed, and the conditions set forth in the  
8 Settlement Agreement have been satisfied, either party may so inform the Court, and this  
9 conditional dismissal shall become a final dismissal with prejudice;

10 WHEREAS, on January 9, 2007, Iconix's Chief Executive Officer executed on behalf of  
11 Iconix an Acknowledgement in connection with the Settlement Agreement;

12 NOW, although the parties disagree as to whether the conditions set forth in the  
13 Settlement Agreement have been fully satisfied, the parties wish that this conditional dismissal  
14 shall become a final dismissal with prejudice of all claims and counterclaims.

15 IT IS HEREBY STIPULATED by and between Iconix and Defendants through their  
16 respective counsel that the above-captioned action be and hereby is dismissed with prejudice  
17 pursuant to Federal Rule of Civil Procedure 41(a)(1), with each party to bear its own costs and  
18 attorney's fees.

19  
20 Dated: July 30, 2007

MORRISON & FOERSTER LLP

21  
22 /s/ KENNETH A KUWAYTI

23 Kenneth A. Kuwayti  
24 Attorneys for Plaintiff  
25 ICONIX, INC.  
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1 Dated: July 30, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

2  
3 /s/ I. NEEL CHATTERJEE

4 I. Neel Chatterjee  
5 Attorneys for Defendants  
6 LANCE TOKUDA, JIA SHEN, AND  
7 NETPICKLE, INC.

8 I, KENNETH A. KUWAYTI, am the ECF User whose ID and password are being used to  
9 file this **Stipulation of Dismissal**. In compliance with General Order 45, X.B., I hereby attest  
10 that I Neel Chatterjee has concurred in this filing.

11 Dated: July 30, 2007

MORRISON & FOERSTER LLP

12  
13 /s/ KENNETH A KUWAYTI

14 Kenneth A. Kuwayti  
15 Attorneys for Plaintiff  
16 ICONIX, INC.